

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

STATE OF NEW YORK; STATE OF
HAWAII; STATE OF CALIFORNIA;
STATE OF COLORADO; STATE OF
CONNECTICUT; STATE OF DELAWARE;
STATE OF ILLINOIS; STATE OF
MARYLAND; COMMONWEALTH OF
MASSACHUSETTS; STATE OF NEVADA;
STATE OF NEW JERSEY; STATE OF
NEW MEXICO; STATE OF OREGON;
STATE OF RHODE ISLAND; STATE OF
WASHINGTON; STATE OF WISCONSIN,

Plaintiffs,

v.

NATIONAL SCIENCE FOUNDATION;
BRIAN STONE, in his official capacity as
Acting Director of the National Science
Foundation,

Defendants.

Case No. 25-4452

**[PROPOSED] ORDER OF
PRELIMINARY INJUNCTION**

After consideration of Plaintiff States’ memorandum of law, and for good cause shown, it is hereby **ORDERED** this ____ day of _____, 2025 at o’clock __.m. that Plaintiff States’ motion for a preliminary injunction is **GRANTED**. The Court finds that Plaintiff States will continue to suffer irreparable injuries in the form described in their memorandum of law in support of their motion unless Defendants are enjoined from implementing the “Statement of NSF priorities,” <https://www.nsf.gov/updates-on-priorities> (“Priority Directive”) and “Policy Notice: Implementation of Standard 15% Indirect Cost Rate,” <https://www.nsf.gov/policies/document/indirect-cost-rate> (“Indirect Cost Directive”), as to Plaintiff States and institutions of higher education within Plaintiff States, specifically:

1. Defendants are and until further order of this Court shall remain enjoined from enforcing or implementing the Priority Directive with respect to Plaintiff States and institutions of higher education within Plaintiff States, as well as investigators participating in cooperative grant agreements with investigators at institutions of higher education within Plaintiff States, including any implementation thereof by means of termination or interruption of funding;

2. Defendants are and until further order of this Court shall remain enjoined from enforcing or implementing the Indirect Costs Directive with respect to Plaintiff States and institutions of higher education within Plaintiff States;

3. Defendants are ordered to restore the status quo of Plaintiff States' funding preceding the Priority Directive and the Indirect Costs Directive;

4. Defendants shall provide notice of this Order of Preliminary Injunction within 24 hours of entry to all Defendants, their employees, and anyone acting in concert with them;

5. Defendants shall file a status report with this Court within 72 hours of the entry of this Order describing the notice they have provided per paragraph 4 of this Order; and

6. This Order shall become effective immediately upon entry by this Court. The Order shall expire at _____ on _____, 2025, subject to further order of this Court.

SO ORDERED.

U.S. District Court Judge